

**PUBLIC NOTICE
OF INTENT TO PROPOSE OR PROMULGATE
NEW OR CHANGED AGENCY RULES**

The following agencies of the state of Idaho have published the complete text and all related, pertinent information concerning their intent to change or make the following rules in the new issue of the state Administrative Bulletin.

**IDAPA 02 – DEPARTMENT OF AGRICULTURE
PO Box 790, Boise, ID 83701-0790**

Docket No. **02-0301-0001**, Rules Pertaining to Idaho Commercial Fertilizer Law. Repeal of chapter. Comment By: 10/25/00.

Docket No. **02-0303-0001**, Rules Governing Pesticide and Chemigation Use and Application. Adds required section and deletes obsolete one; defines record keeping and licensing requirements for dealers providing consistency with FIFRA;; clarifies required worker protection standard records; imposes temperature restrictions on phenoxy herbicide; clarifies restrictions to protect pollinators in crops with blooming weeds; increases pesticide registration fees. Comment By: 10/25/00.

Docket No. **03-0403-0001**, Rules Governing Animal Industry. Specifies testing, identification and certification requirements, relative to tuberculosis, for entry of cattle, bison and domestic cervidae into Idaho; defines Chronic Wasting Disease (CWD); relative to CWD, provides requirements for importation of domestic cervidae, specifies approved tests, provides for surveillance, quarantine and management of herds, provides for qualification and certification of herds and for condemnation and depopulation of CWD infected and exposed animals and herds. Comment By: 10/25/00.

Docket No. **02-0415-0001**, Rules Governing Beef Cattle Animal Feeding Operations. Regulates the design, construction and management practices for wastewater storage and containment facilities, and nutrient management practices on beef cattle animal feeding operations; requires new feeding operations to have an approved nutrient management plan before beginning operations; requires existing feeding operations to submit a nutrient management plan to the Director of the Dept. of Agriculture by 1/1/05; provides for inspections of feeding operations and for penalties for violations. Comment By: 10/25/00.

Docket No. **02-0612-0001**, Quarantine Order No. 8-1962 Pertaining to European Pine Shoot Moth. Repeal of chapter. Comment By: 10/25/00.

Docket No. **02-0612-0002**, Idaho State Department of Agriculture Rules Pertaining to the Idaho Fertilizer Law. Prescribes definitions not covered by law; incorporates by reference certain manuals; requires registration and lists guarantees covering nutrients other than nitrogen, phosphate, and potash; describes required warning statements; prescribes proper labeling, labeling of slow release nutrients, use of investigational allowances, sampling, and guarantees concerning organic nitrogen. Comment By: 10/25/00.

Docket No. **02-0622-0001**, Noxious Weed Rules. Designates Eurasian watermilfoil as a noxious weed; adds required Sections. Comment By: 10/25/00.

**IDAPA 07 – DIVISION OF BUILDING SAFETY
PO Box 83720, Boise, ID 83720**

Docket No. **07-0104-0001**, Rules Governing Electrical Specialty Licensing. Authority to grant waivers to qualifying applicants is being delegated to the staff. Comment By: 10/25/00.

Docket No. **07-0109-0001**, Rules Governing Readoption of Rules of Electrical Division. Repeal of chapter. Comment By: 10/25/00.

**IDAPA 08 – DEPARTMENT OF EDUCATION/BOARD OF EDUCATION
PO Box 83720, Boise, ID 83720-0037**

Docket No. **08-0102-0001**, Personnel Rules of the State Board of Education. Repeal of chapter. Comment By: 10/25/00.

Docket No. **08-0103-0001**, Financial Affairs of the State Board of Education. Repeal of chapter. Comment By: 10/25/00.

Docket No. **08-0104-0001**, Rules Governing Residency Classification. For tuition purposes, a person separated under honorable conditions from the U.S. Coast Guard who designates Idaho as his intended domicile is considered an Idaho resident. Comment By: 10/25/00.

Docket No. **08-0109-0001**, Intellectual Property and Conflict of Interest. Repeal of chapter. Comment By: 10/25/00.

Docket No. **08-0202-0001**, Rules Governing Uniformity. Incorporates by reference the 2001 version of the Idaho Department of Education Professional School Personnel Certification Standards Manual. Comment By: 10/25/00.

Docket No. **08-0202-0002**, Rules Governing Uniformity. Changes the official vehicle for the approval of teacher education programs to the National Council for Accreditation of Teacher Education (NCATE) approved Idaho Standards for Initial Certification of School Personnel. Comment By: 10/25/00.

Docket No. **08-0203-0002**, Rules Governing Thoroughness. Changes the name from “exiting” to “achievement” standards; incorporates by reference the K-8 Achievement Standards. Comment By: 10/25/00.

**IDAPA 11 – IDAHO STATE POLICE
PO Box 700, Meridian, ID 83680-0700**

Docket No. **11-1002-0001**, Rules Establishing Fees for Services – Idaho Criminal Justice Information System. Corrects the statutory authority citation; increases the name check fee. Comment By: 10/25/00.

Docket No. **11-1102-0001**, Rules of the Idaho Peace Officer Standards and Training Council for Juvenile Detention Officers. Establishes minimum standards for employment and certification of juvenile detention officers. Comment By: 10/25/00.

**IDAPA 13 – IDAHO DEPARTMENT OF FISH AND GAME
PO Box 25, Boise, ID 83707**

Docket No. **13-0104-0001**, Rules Governing Licenses. Adds required sections to the rule; removes obsolete rules; allow residents to purchase unsold nonresident tags as allowed by statutory amendment. Comment By: 10/25/00.

Docket No. **13-0104-0002**, Rules Governing Licenses. Authorizes license and tag refunds or exchanges for fire closure. Comment By: 10/25/00.

Docket No. **13-0108-0001**, Rules Governing the Taking of Big Game Animals in the State of Idaho. Amends methods of take, hunting boundaries, and controlled hunt descriptions for 2000 seasons; allows sales of leftover controlled hunt tags; creates a new nonresident deer, bear, or mountain lion tag. Comment By: 10/25/00.

Docket No. **13-0109-0001**, Rules Governing the Taking of Game Birds in the State of Idaho. Adds required sections; removes obsolete rules; makes corrections after statutory amendment. Comment By: 10/25/00.

Docket No. **13-0111-0001**, Rules Governing Fish. Adds required sections; biannual update of fishing seasons, bag limits, and possession limits; removes obsolete rules. Comment By: 10/25/00.

Docket No. **13-0115-0001**, Rules Governing the Use of Dogs. Adds required sections; increases number of nonresident permits to encourage hunting in certain areas; clarifies requirements for a hunting license and hound hunter permit. Comment By: 10/25/00.

Docket No. **13-0116-0001**, Rules Governing the Trapping of Predatory and Unprotected Wildlife and the Taking of Furbearing Animals. Adds required sections and biennial update for setting seasons, bag, and possession limits; removes obsolete rules. Comment By: 10/25/00.

Docket No. **13-0117-0001**, Rules Governing the Use of Bait for Taking Big Game Animals. Clarifies restrictions on locating bear bait near water. Comment By: 10/25/00.

Docket No. **13-0119-0001**, Rules Governing Operating, Discontinuing, and Suspending Vendors. Adds required sections; corrects obsolete language regarding military personnel obtaining resident licenses and tags. Comment By: 10/25/00.

**IDAPA 15 – OFFICE OF THE GOVERNOR - IDAHO COMMISSION ON AGING
PO Box 83720, Boise, ID 83720-0007**

Docket No. **15-0101-0002**, Rules Governing Senior Services Program. Changes definition of Case Manager to allow for a degree or equivalent and definition of Case Management to include disabled adults; deletes definition of PCS and adds definition of Medicaid HCBS Services; adds section pertaining to the conduct of in-home service workers. Comment By: 10/25/00.

Docket No. **15-0102-9902**, Rules Governing Area Agency Adult Protection Programs. Clarifies resident-to-resident abuse investigations. Comment By: 10/25/00.

Docket No. **15-0102-0001**, Rules Governing Area Agency Adult Protection Programs. Adds definition for “serious physical injury”. Comment By: 10/25/00.

Docket No. **15-0120-0001**, Rules Governing Area Agency on Aging (AAA) Operations. Changes due date for area plans and plan amendments; removes unnecessary language. Comment By: 10/25/00.

**15 – DIVISION OF HUMAN RESOURCES AND PERSONNEL COMMISSION
PO Box 83720, Boise, ID 83720-0066**

Docket No. **15-0401-0001**, Rules of the Division of Human Resources and Personnel Commission. Changes conform to statutory changes; adds definitions of “earned administrative leave” and “involuntary transfer”; clarifies veterans

preference; adds voluntary probation period for certain transfers and reinstatements; clarifies use of leave for medical or optical appointments and for use of Employee Assistance Program; clarifies and makes changes in deadlines for problem-solving procedure and for enhancing consistency of performance evaluation system. Comment By: 10/25/00.

**IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE
PO Box 83720, Boise, ID 83720-0036**

Docket No. **16-0203-0001**, Rules Governing Emergency Medical Services. Updates the Incorporation by Reference; adds pediatric emergency medicine representative to EMS Advisory Committee; changes office address. Comment By: 10/25/00.

Docket No. **16-0301-0002**, Rules Governing Eligibility for Medicaid for Families and Children. Reinstates a methodology for income eligibility in which income is converted to a monthly amount and prospective budgeting is used for determining eligibility for future months. Comment By: 10/25/00.

Docket No. **16-0304-0001**, Rules Governing the Food Stamp Program in Idaho. Changes gross and net income limits, maximum monthly allotments, and Standard Utility Allowance (SUA). Comment By: 10/25/00.

Docket No. **16-0305-0002**, Rules Governing Eligibility for Aid to Aged, Blind, and Disabled. Counts a veteran's aid, attendance, and unusual medical expense payments from the VA as income in computing the participant's share in the cost of his nursing home care or HCBS. Comment By: 10/25/00.

Docket No. **16-0309-0008**, Rules Governing the Medical Assistance Program in Idaho. Deletes text referencing the maintenance of a mailing list for Medical Assistance manual updates and adds the reference for Internet access. Comment By: 10/25/00.

Docket No. **16-0309-0009**, Medical Assistance. Conforms to HB 797 by reducing the number of unauthorized visits for Physical Therapy to 25 per calendar year and requires authorization for any visits over 25 by the Department; changes technical terminology. Comment By: 10/25/00.

Docket No. **16-0309-0010**, Medical Assistance. Implements SB 1365 by requiring that all PCS and Attendant providers be employees of an agency; modifies CNA requirements to allow other training; PCS supervision by MD and RN expanded; makes numerous technical changes to standardize terminology. Comment By: 10/25/00.

Docket No. **16-0309-0011**, Medical Assistance. Implements SB 1530 by limiting reimbursement for commercial and non-commercial transportation providers for Medicaid clients when the vehicle contains five or more clients; provides for a waiver based on undue hardship; declares an emergency; provides a sunset clause of 6/20/01; discontinues payment to non-commercial providers for unloaded miles; sets reimbursement rate per mile per passenger at \$.33 cents for up to five passengers per vehicle. Comment By: 10/25/00.

Docket No. **16-0309-0012**, Medical Assistance. Generic drugs will be dispensed by the pharmacy unless prior authorized by the Department; technical changes clarify language. Comment By: 10/25/00.

Docket No. **16-0314-0001**, Rules Governing Hospitals in the State of Idaho. Revises requirement, that prescribers be physically present within 24 hours to sign an order, to allow for greater flexibility. Comment By: 10/25/00.

Docket No. **16-0410-0001**, Rules Governing Community Services Block Grant Program. Repeal of chapter. Comment By: 10/25/00.

Docket No. **16-0410-0002**, Rules Governing Community Services Block Grant Program. Rewrite complies with federal law changes in the 1998 Federal Community Services Block Grant Re-authorization. Comment By: 10/25/00.

Docket No. **16-0414-0001**, Rules Governing the Low Income Home Energy Assistance Program. Adds "catastrophic illness costs" to program eligibility criteria; revises formula for computing program benefits. Comment By: 10/25/00.

Docket No. **16-0503-0001**, Rules Governing Contested Cases Proceedings and Declaratory Rulings. Repeal of chapter. Comment By: 10/25/00.

Docket No. **16-0503-0002**, Rules Governing Contested Cases Proceedings and Declaratory Rulings. Rewrite of chapter simplifies and streamlines the hearing process; corrects program references. Comment By: 10/25/00.

**IDAPA 17 – IDAHO INDUSTRIAL COMMISSION
PO Box 83720, Boise, ID 83720-0041**

Docket No. **17-0405-0001**, Accreditation of Asbestos Professionals Employed in School Projects. Repeal of chapter. Comment By: 10/25/00.

Docket No. **17-0701-0001**, Safety Rules for Elevators and Escalators-General Requirements. Updates state's safety standards for elevators, escalators, and moving walkways to comply with changes in the national elevator standards which are adopted by reference. Comment By: 10/25/00.

Docket No. **17-0702-0001**, Safety Standards for Construction and Operation of Elevators–Administration. Repeal of chapter. Comment By: 10/25/00.

Docket No. **17-0703-0001**, Safety Rules for Elevators and Escalators–Inspections. Repeal of chapter. Comment By: 10/25/00.

Docket No. **17-0704-0001**, Safety Rules for Elevators and Escalators–Construction, Repairs, Alterations, or Dismantling. Repeal of chapter. Comment By: 10/25/00.

**IDAPA 18 – DEPARTMENT OF INSURANCE
PO Box 83720, Boise, ID 83720-0043**

Docket No. **18-0130-0001**, Individual Accident and Sickness Disability Insurance Minimum Standards Act. Sets forth prohibited policy provisions, minimum standards for benefits, disclosure requirements, and replacement requirements for various types of individual disability insurance policies and group supplemental disability insurance policies sold in Idaho. Comment By: 10/25/00.

Docket No. **18-0130-0002**, Individual Accident and Sickness Disability Insurance Minimum Standards Act. Repeal of chapter. Comment By: 10/25/00.

Docket No. **18-0144-0001**, Schedule of Fees, Licenses, and Miscellaneous Charges. Payor must request in writing overpayments in excess of \$200; extraordinary exam costs will not be considered part of the continuation fee and director may pass them on to a company; a continuation fee will be imposed on domestic risk retention groups only; continuation fee for purchasing groups will be \$100. Comment By: 10/25/00.

Docket No. **18-0160-0001**, Long-Term Care Insurance Minimum Standards. Adds requirements for disclosure to consumers by long-term care insurance sellers of rating practices, including rate increase history; sets forth information to be included in disclosures to consumers and requires signed acknowledgement by consumer; amends loss ratio standards; sets forth additional filing requirements; adds standards governing premium rates and rate increases; provides for reimbursement of unnecessary rate increases; sets forth requirements for actuarial certifications. Comment By: 10/25/00.

**IDAPA 21 – DIVISION OF VETERANS SERVICES
320 Collins Road, Boise, ID 83702**

Docket No. **21-0101-0001**, Rules Governing Eligibility for Admission, Residency, and Maintenance Charges in Idaho State Veterans Homes - Domiciliary Care. Repeal of chapter. Comment By: 10/25/00.

Docket No. **21-0101-0002**, Rules Governing Admission, Residency, and Maintenance Charges in Idaho State Veterans Homes and Division of Veterans Services Administrative Procedure. Rewrite conforms to amendments to state law and complies with federal regulations regarding veterans affairs and includes provisions for the Division's administrative procedures and contested cases. Comment By: 10/25/00.

Docket No. **21-0102-0001**, Rules Governing Eligibility for Admission, Residency, and Maintenance Charges in Idaho State Veterans Homes – Residential Care. Repeal of chapter. Comment By: 10/25/00.

Docket No. **21-0102-0002**, Rules Governing Emergency Relief for Veterans. Rewrite of chapter provides for accepting, evaluating, granting, and denying requests for emergency relief and provisions related to Veterans Service Officers. Comment By: 10/25/00.

Docket No. **21-0103-0001**, Rules Governing Eligibility for Admission, Residency, and Maintenance Charges in Idaho State Veterans Homes – Nursing Care. Repeal of chapter. Comment By: 10/25/00.

Docket No. **21-0103-0002**, Rules Governing Medicaid Qualified Units in Idaho State Veterans Homes. Changes conform to state law requiring the Idaho State Veterans Homes to become Medicaid-certified. Comment By: 10/25/00.

Docket No. **21-0104-0001**, Rules Governing Emergency Relief for Veterans. Repeal of chapter. Comment By: 10/25/00.

**IDAPA 22 – IDAHO STATE BOARD OF MEDICINE
PO Box 83720, Boise, ID 83720-0058**

Docket No. **22-0101-0001**, Rules of the Board of Medicine for Licensure to Practice Medicine and Surgery and Osteopathic Medicine and Surgery. Changes remove standard of care violation that define sexual relations with patients; adds rule relating to physical or mental illness to comply with ADA requirements; allows for 2 year licensure instead of annual license issue and renewal; removes obsolete language and changes interview language. Comment By: 10/25/00.

**IDAPA 23 – IDAHO STATE BOARD OF NURSING
PO Box 83720, Boise, ID 83720-0061**

Docket No. **23-0101-0001**, Rules of the Idaho Board of Nursing. Clarifies rules for temporary licensure, license renewal and reinstatement, graduates of nursing schools located outside the United States or its territories, and

apprentices and others exempted from licensure by the Board; changes fees and adds provision for a returned check fee; creates framework for issuance of licenses and wallet certificates; clarifies that, with the exception of advanced practice professional nurses, one individual may hold only one license at any time; removes obsolete rules. Comment By: 10/25/00.

**IDAPA 24 – BUREAU OF OCCUPATIONAL LICENCES
1109 Main Street, Suite 220, Boise, ID 83702**

Docket No. **24-0101-0001**, Rules of the Board of Architectural Examiners. Adds required sections; changes application photograph size; adopts qualifications outlined in 2000-2001 NCARB Handbook for Interns and Architects; establishes exam qualifications based on experience in lieu of architectural degree. Comment By: 10/25/00.

Docket No. **24-0301-0001**, Rules of the State Board of Chiropractic Physicians. Changes peer review compensation schedule from number of document pages to dollar amount of claim. Comment By: 10/25/00.

Docket No. **24-0401-0001**, Rules of the Idaho Board of Cosmetology. Waives 30 day application deadline for applicants who fail examination on the first attempt; provides for nail technology and esthetics instructors; allows instructor applicants who fail examination on the first attempt to re-examine without additional training. Comment By: 10/25/00.

Docket No. **24-0401-0002**, Rules of the Idaho Board of Cosmetology. Clarifies definitions and changes terminology; separates esthetics from electrology; clarifies action resulting from student loan default; clarifies endorsement requirements; requires jurisprudence exam for endorsement applicants; eliminates work permits; changes reference to education requirement; clarifies application requirement; clarifies electrology instruction hour requirements; increases esthetics and nail technology instruction hour requirements; allows applicants who fail exam on first attempt to re-examine without additional training; specifies uses of human models and mannequins during exam; deletes monthly requirement for student records, and outlines requirements; defines attendance policy and student probationary period; clarifies student records and instructor training requirements. Comment By: 10/25/00.

Docket No. **24-0501-0001**, Rules of the Board of Environmental Health Specialist Examiners. Sets original license fee and a trainee certificate fee; deletes redundancy in reexamination fee and references to certificate fee. Comment By: 10/25/00.

Docket No. **24-1001-0001**, Rules of the State Board of Optometry. Updates exam requirements; gives board discretion to require exam for reinstatement of license canceled over 5 years; adds certificate to obtain and use pharmaceutical agents fee; updates name of national organization administering the exam. Comment By: 10/25/00.

Docket No. **24-1501-0001**, Rules of the Idaho Counselor Licensing Board. Modifies the supervised experience requirements; changes required credentials of those seeking to provide qualified counseling supervision; adds definition of direct client contact; and replaces Board's scope of practice letter with a rule requiring counselors to practice only within the boundaries of their competence. Comment By: 10/25/00.

Docket No. **24-1701-0001**, Rules of the State Board of Acupuncture. Clarifies and adds definitions and removes obsolete references; defines requirements for and establishes fee for licensure, certification, and technician; adds to inactive license or certification fee; includes expiration and reinstatement for certificates and process; adds certification under scope of practice; extends change of business notice provision. Comment By: 10/25/00.

Docket No. **24-1801-0001**, Rules of the Real Estate Appraiser Board. Increases fees for application for qualification, reciprocity application, original certification/license, original certification/license via reciprocity; and annual renewal fee. Comment By: 10/25/00.

**IDAPA 26 – IDAHO DEPARTMENT OF PARKS AND RECREATION
2103 Lanark, Meridian, ID 83642**

Docket No. **26-0120-0001**, Rules Governing the Administration of Park and Recreation Areas and Facilities. Regulates operation of vehicles within state parks; prohibits interfering with state park employees duties; makes park facilities smoke free; defines liquid waste as it relates to camping; includes current Fish & Game rules on bag/creel limits. Comment By: 10/25/00.

Docket No. **26-0130-0001**, Idaho Safe Boating Rules. Specifies that persons on personal watercraft and being towed by boats must wear a personal flotation device to be considered having it readily available. Comment By: 10/25/00.

**IDAPA 27 – IDAHO BOARD OF PHARMACY
PO Box 83720, Boise, ID 83720-0067**

Docket No. **27-0101-0002**, Rules of the Idaho Board of Pharmacy. Allows transfer of prescriptions via facsimile; removes requirement for placing transfer information on original prescription for pharmacies that maintain the same information in a computer prescription database. Comment By: 10/25/00.

Docket No. **27-0101-0003**, Rules of the Idaho Board of Pharmacy. Adds the substance carisoprodol to the list of Schedule IV controlled substances. Comment By: 10/25/00.

**IDAPA 31 – IDAHO PUBLIC UTILITIES COMMISSION
PO Box 83720, Boise, ID 83720-0074**

Docket No. **31-0101-0001**, Rules of Procedure of the Idaho Public Utilities Commission. Recodifies an omitted section regarding withdrawal of pleadings. Comment By: 10/25/00.

Docket No. **31-1101-0001**, Safety and Accident Reporting Rules for Utilities Regulated by Idaho Public Utilities Commission. Updates documents incorporated by reference. Comment By: 10/25/00.

Docket No. **31-2101-0001**, The Utility Customer Relations Rules. Eliminates “guarantees” in lieu of service deposits; requires that bills be issued monthly and that utilities list their mailing addresses and toll-free telephone numbers on bills; prohibits billing for services or merchandise not ordered or authorized by consumer and specifies how partial payments are to be applied to bills; notice procedures for terminating service are clarified and simplified; eliminates reporting requirements of terminated service during winter months; allows utilities to collect reasonable deposits rather than two months’ usage as a minimum threshold billing; requires utilities to respond within 10 business days to a customer’s informal complaint. Comment By: 10/25/00.

Docket No. **31-4101-0001**, The Telephone Customer Relations Rules. Allows deposits to be credited to a customer’s account or refunded to customer; simplifies procedures for terminating telephone service; eliminates the termination of local exchange service for unexplained or large long-distance usage; reduces time telephone records are retained to 2 years; deletes obsolete references. Comment By: 10/25/00.

**IDAPA 33 – IDAHO REAL ESTATE COMMISSION
PO Box 83720, Boise, ID 83720**

Docket No. **33-0101-0003**, Rules of the Idaho Real Estate Commission. Identification numbers assigned or approved by Commission will constitute user’s signature when transmitted as part of an electronic record in the course of business with the commission. Comment By: 10/25/00.

Docket No. **33-0101-0004**, Rules of the Idaho Real Estate Commission. A flat fee of \$100 will be charged for each entity license, rather than charging additional broker license fees for multiple entity licenses. Comment By: 10/25/00.

**IDAPA 35- -IDAHO STATE TAX COMMISSION
PO Box 36, Boise, ID 83722**

Docket No. **35-0101-0001**, Income Tax Administrative Rules. Renumbers sections; corrects citations to federal and state codes; makes changes to conform to statutory changes; deletes obsolete language; changes calculation of the offset to add federal tax-exempt interest and subtract foreign dividend gross-up in computing total income; clarifies limitation of itemized deductions and addback of state income taxes and deductions allowed for college savings programs and health insurance costs for self-employed individuals; corrects calculation for the standard deduction for married individuals filing joint returns; requires an alternative method to allocation and apportionment in determining Idaho source income of real and tangible personal property and from a sole proprietorship; clarifies how an entity will report income and pay tax for officers, directors, shareholders, partners, members, or beneficiaries, and how the election is made; clarifies what qualifies as a revenue-producing enterprise due; and others. Comment By: 10/25/00.

Docket No. **35-0102-0001**, Idaho Sales and Use Tax Administrative Rules. Clarifies rental/lease property allowance when it is traded-in; removes provision limiting the credit for bad debts to only the retailer who made the original sale; deletes obsolete language and defines terminology for new technology for records retention; makes the statutory reporting requirements easier and provides options for promoters. Comment By: 10/25/00.

Docket No. **35-0103-0004**, Property Tax Administrative Rules. Renumbers sections; corrects citations to federal and state codes; makes changes to conform to statutory changes; deletes obsolete language; rewrites some definitions to be consistent with statutes and current practice; appraisal approaches, used by county assessors, were clarified to three traditional approaches; makes changes in determining eligibility for exemptions, clarifies determination of household and other taxable income. Comment By: 10/25/00.

Docket No. **35-0105-0001**, Motor Fuels Tax Administrative Rules. Adds and deletes definitions; changes reporting period to taxpayer’s fiscal year or calendar year if not required to file an Idaho income tax return; allows all motor fuels to be deducted on sales to the Idaho National Guard; adds authority to grant an exemption from bonding when the distributor has provided information to show financial responsibility even when the submission is incomplete; suspends petroleum transfer fee because the insurance reserve account has reached the statutory limit. Comment By: 10/25/00.

Docket No. **35-0108-0001**, Idaho Mine License Tax Administrative Rules. Corrects a reference to the Tax Commission’s Administration and Enforcement Rules. Comment By: 10/25/00.

Docket No. **35-0201-0001**, Tax Commission Administration and Enforcement Rules. Deletes obsolete language; identifies the rate of interest for calendar year 2001; changes amount charged for dishonored checks; adds Department of Treasury Financial Management Services and the governing entity of the International Fuels Tax Agreement to the list of agencies with exchange agreements. Comment By: 10/25/00.

IDAPA 39 – IDAHO TRANSPORTATION DEPARTMENT
PO Box 7129, Boise ID 83707-1129

Docket No. **39-0104-0001**, Rules Governing Disadvantaged Business Enterprise Program. Repeal of chapter. Comment By: 10/25/00.

Docket No. **39-0313-0001**, Rules Governing Overweight Permits. Adds 2 additional categories and restructures weight ranges for state highways. Comment By: 10/25/00.

Docket No. **39-0316-001**, Rules Governing Oversize Permits for Non-Reducible Vehicles and/or Loads. Clarifies that permit requirements for implements of husbandry used in the furtherance of a business do not apply to farm operations. Comment By: 10/25/00.

Docket No. **39-0317-0001**, Rules Governing Permits for Manufactured Homes, Modular Buildings, and Office Trailers. Conforms to state law to allow manufactured homes being transported, either prior to first sale at retail or to the initial setup location of the original purchaser, not to be registered. Comment By: 10/25/00.

Docket No. **39-0319-0001**, Rules Governing Annual Overlegal Permits. Adds 2 additional categories and restructures weight ranges for assigning more accurate weight limits on certain state highway routes. Comment By: 10/25/00.

Docket No. **39-0342-0001**, Rules Governing Use of State Right-of-Way. Adds a definition section for access management; adds sequentially ordered steps in permitting process; adds section on Access Control Types and on temporary encroachments addressing such issues as political campaign posters; adds a more detailed and comprehensive appeal process; adds Headquarters' and District office addresses. Comment By: 10/25/00.

Docket No. **39-0347-0001**, Rules Governing Certification of Local Improved Road Mileage. Conforms to statutory change by removing rule that prohibited the gating of public highways, with certain exceptions. Comment By: 10/25/00.

IDAPA 45 – HUMAN RIGHTS COMMISSION
PO Box 83720, Boise, ID 83720

Docket No. **45-0101-0001**, Rules of the Idaho Human Rights Commission. Identifies who may represent a party in proceedings before the Commission; and removes language prohibiting discrimination based on disabilities not presently job-related. Comment By: 10/27/00.

IDAPA 47 – IDAHO DIVISION OF VOCATIONAL REHABILITATION
PO Box 83720, Boise, ID 83720-0096

Docket No. **47-0101-0001**, General Administration. Adds incorporation by reference section and modifies the client appeals process section. Comment By: 10/25/00.

Docket No. **47-0102-0001**, Field Services. Adds incorporation by reference section and modifies record keeping section and client services. Comment By: 10/25/00.

Docket No. **47-0103-0001**, Management Services. Allows staff to negotiate rates of payment for services due to increased costs. Comment By: 10/25/00.

IDAPA 48 – IDAHO DEPARTMENT OF COMMERCE
PO Box 83720, Boise, ID 83720-0093

Docket No. **48-0101-0001**, Idaho Community Development Block Grant Program. Requires more information from ICDBG applicants on proposed projects; rewards local cash investment by increasing the competitive value of each dollar committed to proposed project; and youth centers, which can be applied for under the Public Facilities category must primarily benefit at-risk youth through various services and programs. Comment By: 10/25/00.

IDAPA 52 – IDAHO STATE LOTTERY COMMISSION
1199 Shoreline Lane, Suite 100, Boise, ID 83702

Docket No. **52-0102-0001**, Gaming Rules of the Idaho State Lottery Commission. Conforms to statutory changes regulating bingo raffle games. Comment By: 10/25/00.

IDAPA 53 – DIVISION OF PROFESSIONAL-TECHNICAL EDUCATION
PO Box 83720, Boise, ID 83720-0095

Docket No. **55-0103-0002**, Rules for Professional-Technical Schools. Identifies and sets forth the criteria and requirements for establishment and operation of a professional-technical school in Idaho that qualifies for funding under Section 33-1002G, Idaho Code. Comment By: 10/25/00.

PUBLIC HEARINGS – Public Hearings have been scheduled for the following dockets:

Department of Agriculture

Docket No. **02-0403-0002**, Rules Governing Animal Industry.

Docket No. **02-0415-0001**, Rules Governing Beef Cattle Animal Feeding Operations.

State Board of Education

Docket No. **08-0102-0001**, Personnel Rules of the State Board of Education.
Docket No. **08-0103-0001**, Financial Affairs of the State Board of Education.
Docket No. **08-0104-0001**, Rules Governing Residency Classification.
Docket No. **08-0109-0001**, Intellectual Property and Conflict of Interest.
Docket No. **08-0202-0002**, Rules Governing Uniformity.
Docket No. **08-0203-0002**, Rules Governing Thoroughness.

Division of Human Resources and Personnel Commission

Docket No. **15-0401-0001**, Rules of the Division of Human Resources and Personnel Commission.

Division of Veterans Services

Rules Governing Eligibility for Admission, Residency, and Maintenance Charges in Idaho State Veterans Homes Idaho State Veterans Homes: Docket No. **21-0101-0001**, Domiciliary Care (Repeal), Docket No. **21-0102-0001**, Residential Care (Repeal), Docket No. **21-0103-0001**, Nursing Care (Repeal).

Docket No. **21-0101-0002**, Rules Governing Admission, Residency, and Maintenance Charges in Idaho State Veterans Homes and Division of Veterans Services Administrative Procedure.

Docket No. **21-0102-0002**, Rules Governing Emergency Relief for Veterans.

Docket No. **21-0103-0002**, Rules Governing Medicaid Qualified Units in Idaho State Veterans Homes.

Docket No. **21-0104-0001**, Rules Governing Emergency Relief for Veterans (Repeal).

Real Estate Commission

Docket No. **33-0101-0003** & **33-0101-0004**, Rules of the Idaho Real Estate Commission.

Human Rights Commission

Docket No. **45-0101-0001**, Rules of the Human Rights Commission.

Idaho State Lottery Commission

Docket No. **52-0102-0001**, Gaming Rules of the Idaho State Lottery Commission.

Division of Professional-Technical Education

Docket No. **55-0103-0002**, Rules of Professional-Technical Schools.

Please refer to the Idaho Administrative Bulletin, **October 4, 2000, Volume 00-10** for notices and text of all rulemakings, public hearing schedules, Governor's executive orders, and agency contact names.

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